

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**
Philadelphia Division

IN RE:

TIMOTHY LOUIS ONEILL

Case No. 19-16451-amc
Chapter 13

TIMOTHY LOUIS ONEILL

Movant

vs.

WILMINGTON SAVINGS FUND SOCIETY,
FSB, AS TRUSTEE OF STANWICH
MORTGAGE LOAN TRUST I,
Respondent

**CONDITIONAL NON-OPPOSITIONAL RESPONSE TO MOTION BY DEBTOR
TO SELL REAL ESTATE KNOWN AS 1928 N PLEASANTVIEW ROAD,
POTTSTOWN, PA 19464 AND TO PAY COMMISSIONS AND CLOSING COSTS**

COMES NOW, Wilmington Savings Fund Society, FSB, As Trustee Of Stanwich Mortgage Loan Trust I (herein, “Respondent”) by and through undersigned counsel, and hereby responds to the Motion By Debtor To Sell Real Estate Known As 1928 N Pleasantview Road, Pottstown, PA 19464 and To Pay Commissions And Closing Costs [Doc. 74] filed on August 19, 2022 and in support thereof, Respondent files this limited response to state that Wilmington Savings Fund Society, FSB, As Trustee Of Stanwich Mortgage Loan Trust I has a secured lien on the Property. Respondent objects to any Order permitting sale of the property without paying Respondent’s lien in full of the closing proceeds, pursuant to a proper payoff quote obtained prior to and good through the closing date.

WHEREFORE, Respondent respectfully requests that any order permitting the sale of the Real Property condition the same upon the conditions set forth above and for any other relief the Court deems just and proper.

This the 25th day of August, 2022

/s/Andrew Spivack

Andrew Spivack, PA Bar No. 84439

Matt Fissel, PA Bar No. 314567

Mario Hanyon, PA Bar No. 203993

Ryan Starks, PA Bar No. 330002

Jay Jones, PA Bar No. 86657

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MORTGAGE LOAN TRUST I,

Respondent

CERTIFICATE OF SERVICE

I, the undersigned, hereby certify that a true and exact copy of the Response to Debtor's Motion to Sell has been electronically served or mailed, postage prepaid on this day to the following:

TIMOTHY LOUIS ONEILL
1928 N PLEASANT VIEW RD
POTTSTOWN, PA 19464-2219

Joseph L. Quinn, Debtor's Attorney
192 South Hanover Street, Suite 101
Pottstown, PA 19464
CourtNotices@rqplaw.com

Scott F. Waterman, Bankruptcy Trustee
Chapter 13 Trustee
2901 St. Lawrence Ave, Suite 100
Reading, PA 19606
ECFMail@ReadingCh13.com

August 25, 2022

/s/Andrew Spivack

Andrew Spivack, PA Bar No. 84439

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TIMOTHY LOUIS ONEILL Movant	
vs.	
WILMINGTON SAVINGS FUND SOCIETY, FSB, AS TRUSTEE OF STANWICH MORTGAGE LOAN TRUST I, Respondent	

ORDER

AND NOW, upon consideration of Debtor's Motion By Debtor To Sell Real Estate Known as 1928 N. Pleasantview Road, Pottstown, PA 19464 and To Pay Commissions and Closing Costs, and upon notice, and opportunity for hearing, and the responses thereto, the Motion is hereby **ORDERED** that the Motion is **CONDITIONALLY GRANTED** pursuant to the terms of this Order as follows:

It is **ORDERED** that the sale of Real Property located at **1928 N Pleasantview Road, Pottstown, PA 19464** (the "Property") pursuant to the terms of the agreement of sale as more fully described in the Debtor's Motion for the purchase price of \$345,000.00; and it is further

ORDERED that the mortgage lien of Wilmington Savings Fund Society, FSB, As Trustee Of Stanwich Mortgage Loan Trust I shall remain a valid lien against the Property until it is paid in full; Deadline for the sale closing and receipt of funds should be within 90 days from the date of the Order; and it is further

ORDERED that the Debtor shall satisfy the mortgage lien of Wilmington Savings Fund Society, FSB, As Trustee Of Stanwich Mortgage Loan Trust I by paying the full amount due subject to a payoff quote good through the settlement date.

Honorable Ashely Chan
U.S Bankruptcy Court Judge

Date: